

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
 ) CASE NO. MJ 13-060  
Plaintiff, )  
 )  
v. )  
 ) DETENTION ORDER  
DOUGLAS L. SMITH, )  
 )  
Defendant. )  
\_\_\_\_\_ )

Offense charged: Conspiracy to Commit Bank Robbery; Bank Robbery

Date of Detention Hearing: February 5, 2013.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant is charged by Complaint, together with six co-conspirators, with

01 participating in a highly sophisticated, multi-state bank robbery conspiracy allegedly led by  
02 members of the Four-Tre Crips, a street gang based in Los Angeles, California, involving large  
03 amounts of cash. This factor is relevant to the risk of nonappearance posed by the charged  
04 defendants.

05         2. Defendant resides in Los Angeles with no ties to this community. The AUSA  
06 alleges that he was attempting to flee this jurisdiction when arrested pursuant to the instant  
07 charges, and alleges that he reported various stories to police about why he was in the area.

08         3. Defendant is on probation with the State of California and his probation officer  
09 does not believe he is a suitable candidate for release based on misconduct during the course of  
10 his supervision in that jurisdiction and allegations of continued criminal conduct in this case.  
11 Defendant has sustained several probation violations in prior cases, with imposition of  
12 sanctions and additional conditions of supervision. He is alleged to associate with known gang  
13 members and his place of proposed residence in Los Angeles is alleged to be a place of  
14 congregation of known gang members.

15         4. Defendant poses a risk of nonappearance due to lack of ties to this District, a  
16 lack of gainful employment, potential access to large amounts of cash, the likely filing of a  
17 probation violation warrant in Los Angeles, and prior violations of supervision. He poses a  
18 risk of danger due to the nature of the charges, alleged association with gang members, and  
19 continued law violations while on supervision.

20         5. There does not appear to be any condition or combination of conditions that will  
21 reasonably assure the defendant's appearance at future Court hearings while addressing the  
22 danger to other persons or the community.

01 It is therefore ORDERED:

- 02 1. Defendant shall be detained pending trial and committed to the custody of the Attorney  
03 General for confinement in a correction facility separate, to the extent practicable, from  
04 persons awaiting or serving sentences or being held in custody pending appeal;
- 05 2. Defendant shall be afforded reasonable opportunity for private consultation with  
06 counsel;
- 07 3. On order of the United States or on request of an attorney for the Government, the  
08 person in charge of the corrections facility in which defendant is confined shall deliver  
09 the defendant to a United States Marshal for the purpose of an appearance in connection  
10 with a court proceeding; and
- 11 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel  
12 for the defendant, to the United States Marshal, and to the United State Pretrial Services  
13 Officer.

14 DATED this 5th day of February, 2013.

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17 Mary Alice Theiler  
18 United States Magistrate Judge  
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